



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO. 178 OF 2026

Durga Sanjay Dongre

Vs.

The State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri K. H. Anandani, Advocate for applicant.
Ms. N. S. Autkar, APP for non-applicant/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 25.03.2026

Heard.

2. The applicant seeks anticipatory bail in connection with Crime No. 14/2026 registered with Railway Police Station, Akola, District Nagpur Railway for the offence punishable under Sections 20(b)(ii) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, "the NDPS Act").

3. The contention of the learned counsel for the applicant is that just because the co-accused has named the applicant, the applicant has been implicated in the crime. There is no material against the applicant to connect her with the crime. Thus, according to him, nothing is required to be seized from the applicant. He also submitted that the applicant is a lady and she is ready to show full cooperation with the Investigating

Agency and therefore, she may be protected from arrest. Hence, he prayed for grant of anticipatory bail to the applicant.

4. The learned APP on the other hand, objected to the application on the ground that the Court should be slow in granting anticipatory bail in cases involving narcotic drugs and psychotropic substances, since it is a very sensitive case which affects the public at large.

5. I have perused the case-diary. It appears that the applicant is alleged to have committed the offence under Section 20(b)(ii) and 29 of the NDPS Act. The allegation in the FIR is that 1.887 kgs of contraband Ganja was seized from the co-accused, who was arrested on the spot. Admittedly, the applicant was not on the spot but the co-accused stated that the Ganja was handed over to him by the applicant. Besides this, there is no other material to implicate the applicant in the present crime.

6. The learned counsel for the applicant relied upon the decision of the Supreme Court in the case of ***Vijay Singh Vs. The State of Haryana (Special Leave to Appeal (Cri) No. 1266/2023, decided on 17.05.2023)*** wherein, in an identical situation, the Supreme Court has granted anticipatory bail to the applicant.

7. Considering the aspects mentioned above and the fact that the seized contraband is not of commercial quantity; in my view, the applicant can be

enlarged on anticipatory bail subject to certain conditions. Hence, the following order:-

- i) The application is allowed.
- ii) In the event of arrest, applicant- Durga Sanjay Dongre be released on bail on furnishing a P.R. bond of Rs. 50,000/- with one solvent surety in the like amount in connection with Crime No. 14/2026 registered with Railway Police Station, Akola, District Nagpur Railway for the offence punishable under Sections 20(b)(ii) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
- iii) The applicant shall attend the concerned Police Station on every Wednesday between 12 noon to 2:00 pm till filing of the charge-sheet and shall cooperate in the investigation.
- iv) The applicant shall not threaten the prosecution witness and shall not tamper with the prosecution evidence.

(M. W. CHANDWANI, J.)